

### Remarks

This case has been carefully considered in light of the Office Action dated September 3, 2003 wherein: claims 1-65 were rejected under 35 USC 103(a) on “Admitted Prior Art” (APA) in view of Maeurer et al. (US Pat. No. 5,301,323) and Onodera et al. (US Pat. No. 5,996,026). Reconsideration is respectfully requested.

Claims 1-65 remain pending in this case.

Applicants respectfully traverse the rejection of claims 1-65 under 35 USC 103(a) for the following reasons.

Regarding the “admitted prior art”, or APA, the Applicants respectfully submit that the Office Action has mischaracterized the Applicants’ method of managing workload as “moving work to the physical resources of the system.” In particular, the Background describes moving the work to physical resources of the system (see p. 4, lines 13-18); and the Office Action likens this to the Applicants’ method. In contrast, however, the Applicants’ method of managing workload comprises *moving resources to the work*. Moreover, as admitted in the Office Action, there is no teaching or suggestion in the Background of dynamically adjusting allocation of a shareable resource of at least one partition, wherein workload goals of two or more partitions are being balanced, as recited in Applicant’s amended claim 1.

Maeurer is cited in the Office Action, paragraph 3, as teaching “dynamically adjusting allocation of a shareable resource of at least one partition.” To the contrary, Applicants respectfully submit that Maeurer does not teach or suggest partitions. Hence, there is no teaching or suggestion in Maeurer of a partitioned system, in which a partition has one or more central processors allocated thereto. Instead, in Maeurer, a data processing system is disclosed having one CPU (see, e.g., FIG. 1, and Col. 4, lines 20-22). There is no discussion in Maeurer of a system having a plurality of partitions, as recited by Applicants. Therefore, there is no teaching or suggestion in Maeurer of managing workloads across two or more partitions of a plurality of partitions, as claimed by the Applicants.

In addition, the Office Action equates a channel path, as used in Maeurer, with a partition, as recited by Applicants. Applicants respectfully disagree. A channel path is not a

partition. Thus, per Applicants' Amendment A, in an effort to clarify the term "partition", Applicants amended independent claim 1 (as well as other independent claims) to indicate that a partition has one or more central processors allocated thereto. Since a channel path does not have one or more central processors allocated thereto, this amendment makes clear that a partition is very different from a channel path.

Since Maeurer does not teach or suggest a partition as claimed by Applicants, it follows that Maeurer does not teach or suggest managing workload across two or more partitions of a plurality of partitions of a computing environment. Further, Maeurer does not teach or suggest dynamically adjusting allocation of a shareable resource of at least one partition of two or more partitions, as claimed by Applicants. Since both the APA and Maeurer fail to teach or suggest dynamically adjusting allocation of a shareable resource of at least one partition of two or more partitions of a computing environment, the combination of these references also fails to teach or suggest Applicants' claimed invention.

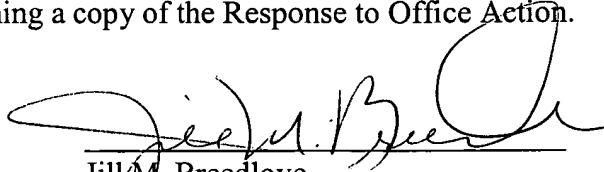
Onodera does not overcome the above-described deficiencies of either the APA or Maeurer. In particular, although Onodera does describe using logical partitions, Onodera does not teach or even suggest dynamically managing workload, as the Applicants do. On the other hand, Onodera teaches a configuration method for a hypervisor, which virtualizes a channel path configuration that exceeds a predetermined threshold (e.g., 256 channel paths) to a channel path configuration that can be utilized (e.g., less than or equal to 256 channel paths). Indeed, there is nothing in Onodera about dynamically managing shared resources, as claimed by the Applicants, i.e., by moving shared resources to the work as needed.

Therefore, merely by using logical partitions, which the Applicants have agreed is not new, Onodera does not overcome the deficiencies of APA and Maeurer, described hereinabove; and thus the suggested combination of APA, Maeurer and Onodera does not render obvious the Applicants' invention, as recited in Claim 1. In particular, neither APA nor Maeurer nor Onodera teaches or suggests a method of managing workload in a computing environment comprising "managing workload across two or more partitions of a plurality of partitions ... wherein a partition has one or more central processors allocated thereto; said managing comprising dynamically adjusting allocation of a shareable resource of at least one partition of

said two or more partitions, wherein workload goals of said two or more partitions are being balanced", as recited in amended claim 1 and similarly in amended independent claims 13, 22, 34, 43, 44, 45 and 57. Therefore, these claims, and the claims dependent therefrom, are believed to be patentable over APA, Maeurer, and Onodera under 35 USC 103.

For the foregoing reasons, claims 1-65 are believed to be patentable to the Applicants. Reconsideration and a Notice of Allowability for claims 1-65 are thus respectfully requested.

Should the Examiner have any further concerns regarding this application, he is invited to contact Applicants' representative at the below listed number. As requested by the Examiner, enclosed herewith is a diskette containing a copy of the Response to Office Action.

  
Jill M. Breedlove  
Attorney for Applicants  
Registration No.: 32,684

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HESLIN ROTHENBERG FARLEY & MESITI P.C.  
5 Columbia Circle  
Albany, New York 12203-5160  
Telephone: (518) 452-5600  
Facsimile: (518) 452-5579